

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

RECEIVED

JEFFERY JAMES JACKSON

2006 MAR -6 A.M. 67

PETITIONER

v.

CIVIL ACTION NO. 2:05-CV-

D.T. MARSHALL et al.,

1164-F

RESPONDENTS

MOTION TO COMPEL

COME NOW THE PETITIONER, JEFFERY J. JACKSON PRO, SE
 AND MOVES THIS HONORABLE COURT IN THE ABOVE
 STYLE CAUSE. PETITIONER REQUEST SAID COURT TO
 GRANT THIS MOTION ON THE FOLLOWING GROUNDS:

PETITIONER IS SEEKING AN ORDER FROM THIS
 HONORABLE COURT THAT WILL COMPEL THE STATE OF
 ALABAMA- ELLEN I. BROOKS AND THE ATTORNEY
 GENERAL TROY KING TO SUBMITT HIS CASE TO A
 GRAND JURY.

PETITIONER IS SEEKING A (TRIAL) BY JURY TO
 ADJUDICATE HIS CLAIMS IN STATE COURT. IN BRADEN
 V. 30TH JUDICIAL CIRCUIT COURT OF KENTUCKY 410
 U.S. 484, 93 S. CT. 1123, 35 L. ED. 2d 443 (1973).
 THE SUPREME COURT HELD, THAT THERE IS AN
 IMPORTANT DISTINCTION BETWEEN A PETITIONER WHO
 SEEKS TO ABORT A STATE PROCEEDING OR TO DISRUPT
 THE ORDERLY FUNCTIONING OF STATE JUDICIAL

PROCESSES BY LITIGATING A SPEEDY TRIAL DEFENSE TO A PROSECUTION PRIOR TO TRIAL, AND ONE SEEKS ONLY TO ENFORCE THE STATE'S OBLIGATION TO BRING HIM PROMPTLY TO TRIAL. SEE SMITH V. HOOEY, 393 U.S. 374, 89 S. CT. 575, 21 L. ED. 2d 607 (1969).

THE EVIDENTIARY MATERIAL FILED IN THIS CASE ESTABLISH THAT THE PETITIONER HAVE NOT BEEN INDICTED IN OVER (2) YEARS WITHOUT A CONSTITUTIONAL TRIAL BY JURY UNDER ARTICLE III AND THE SIXTH⁽⁶⁾ AMENDMENT.

RESPECTFULLY SUBMITTED
MARCH 2ND 2006.

Jeffery J. Jackson
PRO, SE - PETITIONER

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT ON THIS 2ND DAY OF MARCH 2006, I SERVED A COPY OF THE FOREGOING ON THE RESPONDENTS, BY PLACING THE SAME IN THE UNITED STATES MAIL, LOCATED AT THE MONTGOMERY CO. DETENTION FACILITY, AND ADDRESSED AS FOLLOWS:

ATTORNEY GENERAL
11 SOUTH UNION STREET
MONTGOMERY, AL. 36130-0152

HASKELL / SLAUGHTER
P.O. BOX 4660
MONTGOMERY, ALA. 36103 -
4660

DONE THIS THE 2ND DAY OF MARCH 2006.

Jeffery J. Jackson
PRO, SE - PETITIONER